

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

New independent claim 11 sets forth the method of the present invention with greater specificity than the previously submitted claims. In accordance with the present invention, a method of reducing spent oxide nuclear fuel to nuclear-fuel metal comprises reducing metal oxides to metals using an electrochemical reduction device with lithium chloride-lithium oxide salt as an electrolyte. The electrochemical reduction device includes a cathode having a porous magnesium filter. Neither of the cited prior art documents, that is Dees et al. and/or Herrmann et al. teach, disclose, suggest or render obvious the method of independent claim 11 as currently presented. As noted above, the method of the present invention employs an electrochemical reduction device having a cathode comprising a porous magnesium filter. Neither Dees et al. nor Herrmann et al. disclose a cathode having a porous magnesium filter. Herrmann et al. disclose a device comprising a cathode of stainless steel. Dees et al. likewise teaches a cathode which comprises a stainless steel basket, see column 3, lines 40 and 41. Accordingly, it is respectfully submitted that independent claim 11 patentably defines over either of the cited prior art documents under 35 U.S.C. 102 or 35 U.S.C. 103. It is respectfully submitted that dependent claims 12-21 contain patentable features in their own right.

In light of the foregoing, it is submitted that claim 11 and all of the claims which depend therefrom patentably define over the art of record and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same

would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,
Chung Seok Seo et al.

By 

Gregory P. LaPointe
Attorney for Applicants
Reg. No. 28,395
Tel: (203) 777-6628
Fax: (203) 865-0297

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I, Rachel Piscitelli, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:
*Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on March 1, 2006.

